



P25369.A03

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Raimund SCHALLER

Group Art Unit: 1615

Appl. No. : 10/849,036

Examiner: Currently Unassigned

Filed : May 20, 2004

For : PROPHYLACTIC ARTICLE

**INFORMATION DISCLOSURE STATEMENT**

Commissioner of Patents  
U.S. Patent and Trademark Office  
220 20th Street S.  
Customer Window, Mail Stop \_\_\_\_\_  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98,  
Applicants hereby call to the Examiner's attention the following documents which are cited and  
discussed in the specification:

EP 0 856 294 B1 which was published on August 8, 2001, which is discussed in the  
specification including pages 15, 28 and 30, accompanied by U.S. family member US 6,254,947 B1  
to Schaller;

US 6,274,154 B1 to Chou, which is discussed in the specification including page 2; and  
US 4,775,372 to Wilberg, which is discussed in the specification including page 3.

Additionally, Applicants hereby call to the Examiner's attention the following documents:

US 4,464,796 to Heissenberger et al.; and

US 4,143,109 to Stockum;

Additionally, Applicants hereby submit a copy of the Office Action from the Austrian

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /T.M./

Patent Office (in German, along with an English translation thereof) that was mailed on March 4, 2004, with respect to counterpart Austrian Patent Application No. A 786/2003, in which the following documents were cited:

DE 201 00 269 U1 which was published on August 16, 2001, which is discussed in the specification including page 3; and

US 4,853,978 to Stockum;

The Examiner is requested to review the Austrian Office Action to ascertain the relevance of the documents indicated by the Austrian Examiner.

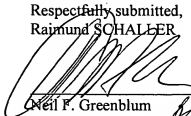
Further to the U.S. Patent and Trademark Office's decision to waive the requirement under 37 C.F.R. §1.98 (a)(2)(i), copies of the U.S. patent and U.S. patent application publication are not enclosed herewith. However, if any copies are needed, the Examiner is respectfully requested to contact the undersigned.

Applicants respectfully request that the Examiner consider the above material and cite the same. Copies of the above-noted foreign documents are attached hereto and all of the documents have been listed on the attached PTO-1449 Form. The Examiner is requested to initial the appropriate spaces on the attached Form and to return a copy of the completed Form to the Applicants with the next official communication in the present application.

Applicants note that an Office Action on the merits has not issued in the present application, and thus no fee is believed necessary to ensure consideration of the submitted material. However, if an Office Action on the merits has issued and is crossing this statement in the mail, the undersigned hereby authorizes the Commissioner to charge any fee necessary for the consideration of this statement, including any payment under 37 C.F.R. §1.17 (p) to Deposit Account No. 19-0089.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Raimund SCHALLER

  
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September 22, 2004  
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Application No.  
10/849,036Group  
1615

11/09/2007

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /T.M./